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6 Attorneys for Defendants/Respondents
7 THE REGENTS OF THE UNIVERSITY OF
CALIFORNIA, (also erroneously sued herein
8 as THE UC IRVINE POLICE
DEPARTMENT), POLICE CHIEF PAUL
9 HENISEY and ASSISTANT POLICE CHIEF
JEFFREY HUTCHISON
10

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13

14 FEDERATED UNIVERSITY
15 POLICE OFFICERS'
ASSOCIATION, on behalf of itself
16 and its members, ANDREW
LOPEZ, on behalf of himself and all
17 similarly situated individuals,

18 Plaintiffs/Petitioners,

19 v.

20 THE REGENTS OF THE
UNIVERSITY OF CALIFORNIA,
21 THE UC IRVINE POLICE
DEPARTMENT, ASSISTANT
22 POLICE CHIEF JEFFREY
HUTCHISON, POLICE CHIEF
23 PAUL HENISEY, in both his
individual and official capacity
24 JOHNSON CONTROLS, INC. and
DOES 1 through 500, inclusive,

25 Defendants/Respondents.
26

USDC Case No. 3:14-CV-05523-JD

**STIPULATION TO TRANSFER
VENUE OF ACTION FROM
NORTHERN DISTRICT OF
CALIFORNIA TO CENTRAL
DISTRICT OF CALIFORNIA,
SOUTHERN DIVISION=
ORDER [28 U.S.C. § 1404(A)]**

**Complaint served: 11/18/14
Removal: 12/18/2014**

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1 1. WHEREAS on or about November 8, 2014, an action was commenced
2 in the Superior Court of the State of California in and for the County of Alameda,
3 entitled, FEDERATED UNIVERSITY POLICE OFFICERS' ASSOCIATION, on
4 behalf of itself and its members, ANDREW LOPEZ, on behalf of himself and all
5 similarly situated individuals v. THE REGENTS OF THE UNIVERSITY OF
6 CALIFORNIA, et al, bearing case number RG14747309 in the records and files of
7 that court.

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9 2. WHEREAS on November 18, 2014, a copy of the Summons and
10 Complaint in this Action was served on Defendant The Regents. On November 19,
11 2014 a copy of the Summons and Complaint in this Action was served on
12 Defendants Henisey and Hutchinson.

13 3. WHEREAS on November 18, 2014, a copy of the Summons and
14 Complaint in this Action was served on Defendant Johnson Controls, Inc.

15 4. WHEREAS this Action, styled as a class action, is a civil action of
16 which this Court has original jurisdiction under 28 U.S.C. section 1441(a) in that it
17 arises under 42 U.S.C. § 1983 and the 4th Amendment to the United States
18 Constitution and 18 U.S.C. § 2520. "[F]ederal-question jurisdiction is invoked by
19 and large by plaintiffs pleading a cause of action created by federal law (e.g., claims
20 under 42 U.S.C. § 1983)." *Grable & Sons Metal Products, Inc. v. Darue*
21 *Engineering & Mfg.*, 545 U.S. 308 (2005).

22 5. WHEREAS the Action arises from Plaintiffs' allegations that they
23 were subject to non-consensual video and audio recording of confidential
24 communications within and without the University of California Irvine Police
25 Department Building located in Irvine California. Plaintiffs allege that they were
26 deprived of their Fourth Amendment right to be free from unreasonable search and
27 seizure and informational privacy by Defendants in violation of 42 U.S.C. § 1983,
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1 and that Defendants violated their right to be free from audio recording without
 2 their consent in violation of the Federal Wire and Electronic Communications
 3 Interception and Interception of Oral Communications Law, 18 U.S.C. § 2520 *et*
 4 *seq.* Complaint at ¶¶ 52, 72-75.

5 6. In addition to the federal claims, the Complaint asserts causes of action
 6 for violation of privacy rights under the California Constitution, Article I and
 7 California Penal Code §637.2. Plaintiffs all seek injunctive relief pursuant to
 8 Section 1085 of the California Code of Civil Procedure. Plaintiffs' state law
 9 claims are based on the same "common nucleus of operative facts", namely the
 10 alleged non-consensual video and audio recording at the University of California
 11 Irvine Police Department Building located in Irvine California.

12 7. WHEREAS all of the operative facts relating to the action occurred in
 13 the Central District, specifically, in Irvine, California at the Irvine Campus of the
 14 University of California.

15 8. WHEREAS all of the key witnesses and parties reside in the Central
 16 District;

17 9. WHEREAS all relevant documents and evidence related to this action
 18 are located and maintained in the Central District in Irvine California at the
 19 University of California, Irvine campus;

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IT IS HEREBY STIPULATED BY AND BETWEEN THE PARTIES That the above-referenced action be transferred from the Northern District of California to the Central District of California, Southern Division for the convenience of parties and witnesses and in the interests of justice pursuant to 28 U.S.C. § 1404(a).

Dated: January 26, 2015

BURKE, WILLIAMS & SORESENSEN, LLP

By: /s/ Daphne M. Anneet

Daphne M. Anneet
Attorneys for Defendants/Respondents
THE REGENTS OF THE UNIVERSITY OF
CALIFORNIA, POLICE CHIEF PAUL
HENISEY and ASSISTANT POLICE CHIEF
JEFFREY HUTCHISON

Dated: January 26, 2015

MASTAGNI HOLSTEDT

By: /s/ Kevin A. Flautt

Kevin A. Flautt
Attorneys for Plaintiffs/Petitioners
FEDERATED UNIVERSITY POLICE
OFFICERS' ASSOCIATION, on behalf of itself
and its members, ANDREW LOPEZ, on behalf
of himself and all similarly situated individuals

Dated: January 26, 2015

ORRICK, HERRINGTON & SUTCLIFFE LLP

By: /s/ Joseph C. Liburt

Joseph C. Liburt
Attorneys for Defendant/Respondent
JOHNSON CONTROLS, INC.

SIGNATURE ATTESTATION

I hereby attest that I have obtained the authorization from the signatories to this e-filed document and have been authorized to indicate their consent by a conformed signature (s/) within this e-filed document.

s/ Daphne M. Anneet

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FEDERATED UNIVERSITY
POLICE OFFICERS'
ASSOCIATION, on behalf of itself
and its members, ANDREW
LOPEZ, on behalf of himself and all
similarly situated individuals,

Plaintiffs/Petitioners,

v.

THE REGENTS OF THE
UNIVERSITY OF CALIFORNIA,
THE UC IRVINE POLICE
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PAUL HENISEY, in both his
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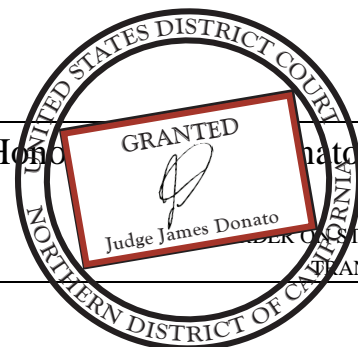
USDC Case No. 3:14-CV-05523-JD

**ORDER ON
STIPULATION TO TRANSFER
VENUE**

IT IS HEREBY ORDERED that the parties' Stipulation to Transfer Venue is
GRANTED. Venue is hereby transferred to the United States District Court for the
Central District of California.

Dated: January 27, 2015

The Honorable



ORDER ON STIPULATION TO
TRANSFER VENUE